

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

**ROWVAUGHN WELLS, Individually and
as Administatrix Ad Litem of the Estate of
Tyre Deandre Nichols, deceased,**

Plaintiff,

v.

**CITY OF MEMPHIS, a municipality,
CHIEF CERELYN DAVIS in her official
capacity, EMITT MARTIN III in his
individual capacity, DEMETRIUS HALEY
in his individual capacity, JUSTIN SMITH
in his individual capacity, DESMOND
MILLS, Jr. in his individual capacity,
TADARRIUS BEAN in his individual
capacity, PRESTON HEMPHILL in his
individual capacity, ROBERT LONG in his
individual capacity, JAMICHAEL
SANDRIDGE in his individual capacity,
MICHELLE WHITAKER in her
individual capacity, and DEWAYNE
SMITH in his individual capacity and as an
agent of the City of Memphis,**

Defendants.

No. 2:23-cv-02224-MSN-atc

**ORDER WITHDRAWING PREVIOUS ORDER GRANTING
EXTENSION OF TIME TO ANSWER**

On June 16, 2023, Defendant Tadarrius Bean filed a motion for extension of time to respond to Plaintiff's Complaint. (ECF No. 61.) Pursuant to Administrative Order No. 2023-18, the original motion for extension of time was referred to the United States Magistrate Judge for determination. In the original motion, Bean's counsel requested that his response deadline be extended to June 30, 2023, and stated that "Plaintiff's Counsel was contacted, and this motion is

unopposed.” (*Id.* at 2.) Based on Plaintiff’s lack of opposition, this Court granted the original motion and extended Bean’s response deadline to June 30, 2023. (ECF No. 61.)

On June 20, 2023, Bean filed an amended motion for extension of time to respond to Plaintiff’s Complaint. (ECF No. 64, 65.) The amended motion states that “Counsel for Defendant unintentionally filed the wrong motion on June 16, 2023, and thus files this amended motion to accurately reflect the positions of all counsel of record.” (*Id.* at 2.) The amended motion further states that “Counsel for Plaintiff opposes the motion.” (*Id.*)

In light of the amended motion and Plaintiff’s opposition to it, the Court WITHDRAWS its June 16, 2023 Order granting Bean’s original motion for extension of time. The amended motion will be handled by separate order.

SO ORDERED this 21st day of June, 2023.

s/Annie T. Christoff
ANNIE T. CHRISTOFF
UNITED STATES MAGISTRATE JUDGE